

# Henderson County Schools

1805 Second Street, Henderson, Kentucky 42420

(270) 831-5000 Fax: (270) 831-5009

[www.henderson.kyschools.us](http://www.henderson.kyschools.us)



To: Superintendent Marganna Stanley and Henderson Co. Schools Board of Education

From: Kim White, HCS Director of Assessment and Accountability

Date: December 5, 2019

Re: Henderson County Schools Lau Plan

To meet the civil rights and EEOA (Equal Educational Opportunities Act), all districts are to develop a plan, which is commonly referred to as the Lau Plan (Lau v. Nichols, 1974). This plan is designed to meet the district obligations to English Learners under Title VI of the Civil Rights Act and the EEOA. The HCS Lau Plan is a working document that will be reviewed and revised as necessary and at least every two years.

Our committee met twice, in October and November, to review the previous plan and make updates with the input of stakeholders. The plan includes the following required information:

- Lau Plan Guiding Principles
- Identification, Enrollment and Placement of English Learners in a Language Instruction Educational Program (LIEP)
- Description of the LIEP
- Process to Provide Meaningful Access to all Co-curricular and Extracurricular Programs and Activities
- EL Professional Learning for Staff who Deliver Instruction or Support the LIEP for ELs
- Annual English Language Proficiency Assessment and Administration
- LIEP Exit Criteria and Procedures
- Monitoring Procedures after Students Exit the LIEP Program
- EL Program Evaluation

The plan is respectfully submitted for your approval.



## **Lau Plan for Meeting the Needs of English Learners**

The "Plan for Meeting the Needs of Limited English Proficient (LEP) Students" has been developed and approved by the Henderson County Board of Education on December 16, 2019, in accordance with the provision in the Henderson County Board of Education Policy 08.13452.

*Revised November  
2019*

## **TABLE OF CONTENTS**

<b>Lau Plan Team Members.....</b>	<b>3</b>
<b>I. Lau Plan Guiding Principles.....</b>	<b>3</b>
<b>II. Identification, Enrollment and Placement of ELs in a Language Instruction Educational Program (LIEP).....</b>	<b>3</b>
<b>III. Description of the LIEP.....</b>	<b>4</b>
<b>IV. Process to Provide Meaningful Access to all Co-curricular and Extracurricular Programs and Activities.....</b>	<b>5</b>
<b>V. EL Professional Learning for Staff who Deliver Instruction or Support the LIEP for ELs.....</b>	<b>6</b>
<b>VI. Annual English Language Proficiency Assessment and Administration.....</b>	<b>6</b>
<b>VII. LIEP Exit Criteria and Procedures.....</b>	<b>6</b>
<b>VIII. Monitoring Procedures after Students Exit the LIEP Program.....</b>	<b>6</b>
<b>IX. EL Program Evaluation.....</b>	<b>7</b>
<b>Appendix.....</b>	<b>8</b>

## **Lau Plan Team Members:**

Fadumo Abdi, Student Henderson Co. High  
Riza Monique Dionisio, Student Henderson Co. High  
Jessalyn Hazel, Jefferson Elementary Teacher  
Chelsea Hixenbaugh, EL Teacher Bend Gate, Cairo, Spottsville Elementary Schools  
Cristina Ibarra, Student Henderson Co. High  
Meagan Joyner, EL Teacher Henderson Co. High  
Alicia Mays, EL Teacher Jefferson, A. B. Chandler, Niagara Elementary Schools  
Stephanie Morris, EL Teacher South Middle and North Middle  
Dionico Rafael, Student Henderson Co. High  
Elizabeth Ramirez, Student Henderson Co. High  
Tommy Ransom, Principal Henderson Co. High  
Lisa Stone, EL Teacher East Heights and South Heights Elementary Schools  
Kim White, HCS Title III Coordinator/DAC

## **I. Lau Plan Guiding Principles**

The Henderson County School district educates all students, including immigrants and students who speak a language other than English, in compliance with Title VI of the Civil Rights Act and the Equal Educational Opportunities Act. Henderson County Schools provides a program for the English learner student that will address the student's proficiency in acquiring the English language and overall school academic program with access to all educational, co-curricular, and extracurricular experiences and opportunities.

## **II. Identification, Enrollment and Placement of ELs in a Language Instruction Educational Program (LIEP)**

**Identification:** At the time of enrollment, all new students will complete a Home Language Survey (HLS). The HLS asks four questions. Enrollment staff in each school are responsible for providing the HLS for each student to the English Language teacher for that location.

1. What is the language most frequently spoken at home?
2. Which language did your child learn when s/he first began to talk?
3. What language does your child most frequently speak at home?
4. What language do you most frequently speak to your child?

If a language other than English is listed on any of the above questions, EL staff are responsible for the administration of the WIDA Online Screener for students in Grades 1-12 or the W-APT for students in kindergarten. The administration of the screener must take place within the first 30 days of the school year along with notification to the parent/guardian of results. For students who enroll after that time, EL staff will administer the screener within two weeks of enrollment with notification to the parent/guardian of results. This is required under the Elementary and Secondary Education Act (ESEA) and 703 KAR 5:070.

**Enrollment:** If a student scores below a 4.5 composite on the screener, s/he is eligible for enrollment in the English Learners Program. All kindergarten students are eligible for enrollment in the English Learners Program regardless of W-APT scores. The EL teacher will write a Program Services Plan (PSP) for each student with recommendations for services and accommodations. If a student scores a 4.5 overall composite on the WIDA Screener, the student would be identified as Not EL in Infinite Campus (state-wide student information system) as s/he would be Initially Fully English Proficient (IFEP).

**Placement:** The EL teacher will contact the parent/guardian within designated timelines to discuss the results of the student's screening and the PSP. The parent/guardian must give permission for the services and/or accommodations. The PSP committee should consist of an administrator, EL teacher, classroom teacher, and parent/guardian. The student may also be included as well as a special education teacher if the student qualifies for those services. The parent/guardian has the right to refuse services and/or accommodations. If the parent/guardian refuses services and/or accommodations, the student must still participate in annual ACCESS testing until s/he scores a 4.5 overall composite. All kindergarten students are enrolled in the program and cannot exit until taking the ACCESS test in first grade and meeting the exit criteria of a 4.5 overall composite. If the parent/guardian declines services and/or accommodations, s/he may request the reinstatement of those at any time. School staff will monitor the academic progress of any student for whom the parent/guardian declined services.

### **III. Description of the LIEP**

Henderson County Schools provides Structured English Immersion to English Learners through collaboration of English Language staff and general education teachers. EL teachers provide instruction on the WIDA Standards in reading, writing, listening, and speaking for EL students to attain proficiency in the English language. Students' programs will be determined and implemented with consideration for each of the following areas that pertain to the particular child and his/her need. The guidelines below provide general instructional protocol; all decisions will be based on an individual student's need and are flexible.

A. Placement in Primary or Intermediate Programs: Students who enroll in the Henderson County Schools in either the primary or intermediate program will encounter programming for all students that is designed to optimize and enhance language development skills in English. For EL students in this grade/age range, maximum time in the regular classroom setting will be used. Pullout for instruction or comprehension tutoring by EL teachers or program assistants will be minimized because the students will be getting the broad-based program and language immersion that all the students are receiving to learn English. Program assistants will work with EL students in the regular classroom in a collaborative setting. Elementary Level 1 and Level 2 EL services will consist of a pull out model for a minimum of one hour per week during which time EL personnel will work individually with the student or in small groups. This model may include a specific EL class which meets at the same time each week. EL services will be considered the primary intervention for Level 1 and 2 EL students. The above services will also be supplemented by EL in-class support for content classes two to three times per week.

B. At the middle school and high school levels, an elective EL Lab will be provided by the EL teacher for one period a day for students who are at a proficiency levels 1 or 2 on the WIDA ACCESS. In addition, the EL teacher will have an intervention time for students who need extra assistance. Program assistants will work with EL students in the regular classroom in a collaborative setting.

C. For students in the proficiency ranges of three to five, the primary focus will be full inclusion in the regular education program as much as possible with English skills taught as a supplement to the regular program. Students will be enrolled in regular classrooms with adjustment in the curriculum to provide basic instruction in English that familiarizes students with pronunciation, grammar, and vocabulary. Language patterns will be taught in the regular classroom setting. Materials will be adapted to the individual's level. Because social adjustment is critical, peers will be encouraged to promote informal learning, especially during recess, lunch, and other free time so that learning can be "caught" rather than taught.

D. Referral to other district programs: English Learner students may be considered for referral to Special Education, Title I, Gifted/Talented, ESS, or other special programs based on meeting the established placement criteria for these programs. None of these programs will be used to take the place of the diagnostic/perspective teaching plan set up through the regular classroom setting.

**Henderson County Schools - Department of Special Education Procedures for Screening and Evaluation of English Learners** Prior to referring an English Learner (EL) for a Multidisciplinary Team (MDT) Evaluation, the school's Response to Intervention (RTI) Team or Student/Staff Support Team should determine whether the student is sufficiently proficient in English for an evaluation to be a valid representation of the student's abilities. EL students require instruction in the English language and sufficient time to develop Basic Interpersonal Communicative Skills (BICS) and Cognitive Academic Language Proficiency (CALP). It is crucial that educators ensure that the issues of limited acculturation and the status of a student's English language proficiency are not contributing or causal factors in a student's low achievement prior to a referral for evaluation for special education or speech services for a possible language disorder. Thus, EL learners should receive English language instruction (i.e., EL services) for at least two school years prior to a referral for an MDT evaluation or a language disorder evaluation. *NOTE: If the RTI/SST finds evidence that the student may be developmentally delayed (DD), have an Autism Spectrum Disorder or a Traumatic Brain Injury or have a mental disability (e.g., MMD or FMD levels of cognitive functioning), the school should proceed with pre-referral interventions regardless of the student's levels of acculturation or English language proficiency. In such cases, the RTI/SST has the prerogative to accelerate the RTI process, as appropriate.*

E. Report Cards and Progress Monitoring: Reporting of letter grades for EL students will be left to the discretion of the building level administrator, unless the student is in a diploma-track high school program. The teacher, in conjunction with the EL teacher, and the school principal will have input into the decision on reporting progress. Students involved in diploma-track high school programs (for credit) will meet standards required for all students graduating from high school.

**Level 1 (Entering) and Level 2 (Emerging):** EL pull out model supplemented by EL in-class support for content classes two to three times per week.

**Level 3 (Developing):** EL in-class support for content classes two to three times per week.

**Level 4.0 – 4.4 (Expanding):** EL in-class support for content classes once a week or as-needed basis.

**Level 4.5 – 4.9 (Expanding), Level 5 (Bridging) and Level 6 (Fluent):** Monitor for EL – no support accommodations required. Exited from program, but monitored for four years following their exit.

#### **IV. Process to Provide Meaningful Access to all Co-curricular and Extracurricular Programs and Activities**

EL students will have the same access to co-curricular programs as the general education population. We use a variety of indicators to determine placement in intervention programs, special education, primary talent pool and advanced placement classes, as test scores are not indicative of the EL student's ability in all areas. In addition to test scores, classroom performance, parent input, student interviews, and teacher recommendations are considered. In addition, extracurricular activities provided by the district and the community are announced through means of school newsletters and announcements. The district will provide communication in native language for parent/guardian as needed.

## **V. EL Professional Learning for Staff who Deliver Instruction or Support the LIEP for ELs**

District EL staff currently consists of five EL teachers and five program assistants. EL teachers attend professional learning in increasing English proficiency and student achievement each year. The EL teachers train and monitor the development of the EL program assistants. Classroom teachers are offered training in strategies to assist EL students through collaboration and inclusion. Each certified staff member in the district creates an individual professional growth plan each year and completes a minimum of 24 hours of professional learning requirements. Also all EL teachers and assistants participate in Administration Code and Inclusions of Special Populations training prior to any WIDA administration. EL staff complete WIDA certifications annually, and certificates are kept on file by the District Assessment Coordinator.

## **VI. Annual English Language Proficiency Assessment and Administration**

Students are assessed annually for English Proficiency and growth during the testing window as outlined by the Kentucky Department of Education. Currently this test is the WIDA ACCESS. Kindergarten students complete a paper/pencil version, and students in grades 1-12 complete an online version. Any district staff who has completed required trainings may administer the assessments. The assessment consists of four components: listening, reading, writing, and speaking. Students receive a score in each component and an overall composite score. The Program Services Plan is updated or the student is exited from services based on performance. Parents/Guardians receive a copy of their child's scores in their native language in the spring, and a copy is kept in the student's permanent folder as well as uploaded into the district student information system (Infinite Campus) by KDE.

## **VII. LIEP Exit Criteria and Procedures**

Language Instruction Educational Program exit criteria as determined by the Kentucky Department of Education are based on WIDA ACCESS scores. Students in grades 1-12 who earn a composite score of at least 4.5 on a Tier B/C assessment are considered English proficient and will exit the EL program as of June 30 that school year. Neither students who completed a Tier A ACCESS assessment nor kindergarten students are eligible to exit the program.

The EL teacher will send the parent/guardian an exit letter in their native language to inform him/her that the student no longer qualifies for services. The EL teacher will notify the classroom teacher of any student who has a classification change or exits from the program. Students who reach proficiency begin the 4-year monitoring process on the first day of the following school year and a designation of re-designated fully English proficient (RFEP).

## **VIII. Monitoring Procedures after Students Exit the LIEP Program**

Districts have an obligation under Title VI of the Civil Rights Act and Equal Education Opportunities Act (EEOA) to monitor the academic progress of former English learners who have been re-designated fully English proficient. The students must be monitored for four years after exiting from a language instruction program (Title III of ESEA as amended by the Every Student Succeeds Act (ESSA). This took effect with students who exited status in the 2017-18 school year.

Monitoring must ensure that RFEP students are able to participate meaningfully in the regular

classroom. EL teachers will use multiple sources of data to monitor the academic progress of exited EL students, such as performance on standardized tests; grades in content area classes; grade point average; teacher observations; parent observations or feedback; meeting promotion and graduation requirements; and graduation rate. EL teachers will document this information in the student's records. Monitoring the academic progress of exited students on a quarterly basis to ensures that:

- Students were not prematurely exited;
- Any academic deficits they experienced as a result of participation in the EL program have been alleviated; and
- They are successfully participating in the regular academic program comparable to their never-EL peers.

If monitoring the student shows that the student is struggling in academic performance and/or English language skills, appropriate assistance and language instruction services must be made available to the student. If monitoring of an exited EL student indicates a persistent language barrier may be the cause of academic difficulty, the district should re-assess the student with a valid and reliable, grade-appropriate English proficiency test to determine if there is an issue and must offer additional language assistance services where needed to meet civil rights obligations.

EL teachers will communicate annually, or more frequently if needed, to inform the parent/guardian of RFEP students' monitoring progress during the four-year period.

## **IX. EL Program Evaluation**

The Henderson County Schools English Learners (Lau) Plan will be reviewed once every two years, or more frequently if required by legislative changes. Information from ACCESS testing for growth and students exiting EL program will be used to evaluate program effectiveness. Also KPREP testing for English learners and monitored students in content areas, growth, and achievement gap will be analyzed. Other local sources of data will also be used sources. Parent/Guardian surveys will also be conducted once every two years for their input regarding their child's education and EL services. Goals for the LEP program will be consistent with the goals for the district as a whole as determined through the annual District Improvement Plan.



## Appendix

**English learner (EL)** – The term “English learner,” when used with respect to an individual, is an individual who

1. is aged 3 through 21;
2. is enrolled or preparing to enroll in an elementary school or secondary school;
3. meets one of the following criteria –
  - a. was not born in the United States or whose native language is a language other than English;
  - b. is a Native American or Alaska Native, or a native resident of the outlying areas; and comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency (ELP); or
  - c. is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and
4. has difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual
  - a. the ability to meet the challenging State academic standards;
  - b. the ability to successfully achieve in classrooms where the language of instruction is English; or
  - c. the opportunity to participate fully in society. [See ESSA 8101(20)]

**English learners with disabilities (ELWD)** – English learners who are also “children with disabilities” under the IDEA, as defined in Section 602(3) of that Act and 34 CFR 300.8. [See ESSA 3201(4)]

**Immigrant children and youth** – Individuals who are aged 3 through 21; were not born in any State; and have not been attending one or more schools in any one or more States for more than 3 full academic years. Note that “State” is defined in Section 3201(13) of the ESEA to include the 50 States, the District of Columbia, and Puerto Rico. Therefore, students born in Puerto Rico cannot be included as “immigrant” students under Title III. [See ESSA 3201(5)]

**Language instruction educational program (LIEP)** – An instruction course in which an English learner is placed for the purpose of developing and attaining English proficiency, while meeting challenging State academic standards; and that may make instructional use of both English and a child's native language to enable the child to develop and attain English proficiency, and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language. [See ESSA 3201(7)]

**Native language** – When used in reference to an individual of limited English proficiency, the language normally used by such individual; or in the case of a child or youth, the language normally used by the parents of the child or youth. [See ESSA 3201(10)] **ELL Program:** Program for teaching Limited English Proficient students English while moving them forward in academic content.

**PSP – Program of Services Plan:** [KY Guidelines](#) Plan for English learner which outlines the following:

If accommodations are needed, documentation shall include: • The name and date of the English language proficiency assessment administered to determine a student's EL status; • A PSP that includes the specific accommodations to be implemented in instruction; • A list of the names of the PSP committee members who reviewed the documentation and made the decisions. The list of staff shall be

placed with the Title III records; • The appropriate accommodations needed; and The signature of the principal of the appropriate school as an indication of approval for the described accommodations.

**Home Language Survey (HLS)-** Upon new enrollment to a school district, the parent/guardian completes the Home Language Survey as a first screening process to identify students with limited English proficiency. ([703 KAR 5:070](#))

**WIDA- World-class Instructional Design and Assessment-** a consortium of states dedicated to the design and implementation of high standards and equitable educational opportunities for English learners. Kentucky is a member state.

**W-APT- Kindergarten WIDA-ACCESS Placement Test-** an English language proficiency screener given to incoming kindergarteners to identify English learners.

**ACCESS-** a suite of secure, large-scale, summative English language proficiency assessments administered annually to grades K-12 to students who have been identified as English learners to monitor students' progress in learning academic English and meet federal requirements of ESSA; assesses four language domains of reading, speaking, writing, and listening.